

ROADS' COMMITTEE REPORT

The Present System of Making and Repairing Roads Condemned

As a result of the recent Good Roads Convention recently held in Glen Ellen under the auspices of the Dunbar Improvement Club at which a committee was appointed to prepare suggestions for a new road law to be submitted to the next legislature, the committee after much labor has submitted the following:

The committee appointed by the Road Convention held at Glen Ellen on the 30th day of April, 1904, reports as follows:

The present road law makes no distinction between roads of different character and use; it applies to all roads alike. Under it each Supervisor is ex-Officio Road Commissioner for his district. Supervisors are elected by districts according to population.

As a board, the Supervisors levy the taxes and audit and allow the claims against the county, and as individual Road Commissioners they themselves expend the road funds, thus in effect auditing and allowing their own claims. Such a system is bad and liable to lead to abuses.

Each Supervisor as Road Commissioner appoints, or employs in each road district, some person as roadmaster, and it is needless to say that political affiliations and services usually play a part in the selection of such persons, which, as a rule, does not tend to securing a fair equivalent in work for the money expended.

The present road law limits the amount which can be levied for road purposes to 40 cents per \$100 assessed valuation, and in the county government act of 1893, there is a further provision authorizing the levy of a special road fund tax of two mills on the dollar assessed valuation, for the construction and maintenance of the main public roads in the several road districts, to be distributed in proportion to the amount collected from such districts.

The Board of Supervisors have rarely levied the full amount of 40 cents, and the further provision of the act of 1893, which merely in effect authorizes an additional amount, has therefore remained a dead letter.

There is also a provision in the present law requiring where the estimated cost of any work upon highways amounts to \$300 or more, it shall be done by contract.

This provision has remained a dead letter because it is so easily evaded, and the method is too cumbersome, as applied to ordinary roads.

The present law also provides that the Board of Supervisors may set apart, not exceeding thirty-five per cent of the road taxes collected, as a general road fund for such general county road purposes in which the inhabitants of all the road districts within the county are more or less interested, or to assist weak districts.

This provision has also remained a dead letter for the reason that as the Supervisors are elected by districts, according to population, even if the fund were set apart, each of them would naturally try to get as much of it as possible to be expended in his district, both to please his constituents, and because as Road Commissioner he would do the spending; hence they could never agree upon where the money were to be spent and in actual practice all they can ever agree upon is that each Supervisor shall expend the money collected in his district.

These districts, however, being set off according to population vary greatly in revenue. The districts including mountainous country are usually sparsely settled and are therefore larger than other districts in the richer and more level country, so that under the present laws, the larger districts having the most road mileage and the most difficult and costly roads to construct, and maintain, usually have the least money available, while the more thickly populated, smaller and usually more level districts, where the road mileage is less and the expense of building and maintaining roads is least, have the most money.

But that is not all, the foregoing evils are further aggravated under our present laws in the following manner:

The Board of Supervisors divide the several Supervisor districts into

road districts, which in practice amounts to each Supervisor dividing his district into such road districts as he chooses.

The road taxes collected in each road district are expended in that district only.

Now, human nature is selfish and the result is, that the more populous and richer sections by the weight of their influence in elections, have always succeeded in having themselves set off in road districts by themselves, which necessarily sets off the poorer sections also by themselves, and thus we have the same anomaly repeated again, of the district having the most and most difficult and costly roads to maintain having the least revenue, and the more thickly populated districts with less road mileage, where the expense of building and maintaining roads is less, having the most revenue.

How any sane person can expect to maintain general roads, traversing a number of road districts, in anything like a uniform or fair condition, under such circumstances is beyond comprehension. Under such a system the county presents the appearance of a patchwork quilt, so far as roads are concerned, and under such a system we can never have good roads.

The capacity of a road's service is limited to the worst part of it, no greater load can be hauled over it than over the worst part of it.

The present road system is a relic of a by-gone primitive age and should be changed as early as practicable.

One of the first and fundamental changes that are needed is a classification of roads. There are two separate and distinct classes of public roads, viz:

General or principal roads and local roads, the one is traveled by people generally and the other merely by people of a neighborhood, the one has to bear a heavy traffic and the other only light traffic, therefore the one must be constructed better and more substantial than the other; the one serves many people and the other comparatively few. In a word they serve different purposes and require different administration. Some central county authority must administer the general county roads, while the local roads may with advantage be administered by local authority.

The general county roads should be built and maintained by taxation upon all the taxable property of the county, including that in incorporated cities and towns, and local roads should be built and maintained by taxation in the local road districts. The two funds should be separate and distinct. The state should also aid in maintaining general county roads in a similar manner and upon the same principle that it assists in maintaining our public schools.

Wherever state institutions are located the state should construct and maintain necessary streets or roads, to serve at the same time as models, through or fronting its property, for the reason that the state pays no road taxes and it is unjust to impose the burden of maintaining those streets or roads, through or fronting state property upon the city or road district.

Under the present law property in incorporated cities and towns is exempt from the payment of road taxes upon the plea that cities and towns maintain their own streets. This is merely carrying out further the evil tendencies of our present road system, for in effect these cities and towns have thus succeeded in getting themselves set off as road districts by themselves; they are only taking care of their local roads by maintaining their own streets and they are contributing nothing towards building and maintaining the general roads used by the people of the state generally, themselves included.

Railroads are maintained by freight and passenger charges, while the country furnishes the bulk of the freight and the bulk of the railroad's income. People in the cities when they ride out into the country, or when they ship their products, have to pay freight or fare and help to support and maintain that railroad. They might as well claim exemption from payment of freight and fare on the railroads, outside the city limits, as exemption from taxation for general county roads.

Country people indirectly pay their full share towards maintaining the city streets. As an instance we would cite the fact that the cities license every dray and other vehicle and any one who ships produce to the city and receives freight from there will find the item of drayage on his bill.

The draymen pays the license to the city, but he charges it to his patrons, so that indirectly people in the country help to maintain the city's streets in that and other ways.

The interests of the cities and the country in the end are mutual; each needs the other but the city is more dependent upon the country than the country is upon the city.

If the selfish fundamental ideas of the present road system were carried out further, to their logical conclusion, every individual place in the country or city would be constituted a road district by itself and each individual maintain the road upon his premises instead of paying road taxes.

That would no doubt benefit some people, but it would not provide good and uniform roads and would distribute the burden of maintaining roads very unequal and be the most inequitable system that could be devised.

For administration of the general county roads we would recommend a Board of three Road Commissioners and a Road Superintendent who must be a civil engineer, in each county.

The Road Commissioners should be elected by the people of the county at large the first for two, four and six years, respectively, and after the first election, one to be elected at each general election and hold office for six years.

The Road Superintendent should be elected by the Board of Supervisors. It may be objected that the Board of Road Commissioners would be an additional expense, but as the Supervisors would no longer be Road Commissioners, the amount they now receive as such, would probably be sufficient to provide the compensation of the new Road Commissioners, and as there are five Supervisors and only three Road Commissioners we would save instead of adding expense.

The reason for having the Board of Supervisors elect the Road Superintendent is that they could better inquire into the qualifications than the general public, and that they as the governing body of the county ought to exercise some influence and check upon the Commission.

The local roads should be administered by a board of three trustees in each road district, elected in the same manner as school trustees are elected, and to serve as school trustees now do, without pay. They should employ a road master, the same as school trustees employ a teacher, and they should estimate annually the amount necessary to build and maintain their local roads, which, within the limits provided by law, should be levied by the Supervisors on the property in the district.

The segregation of general county roads from local roads will make it practicable to have all the work on the general county roads done by contract, construction as well as maintenance. For purpose of maintenance the general county roads should be divided into sections and the care and maintenance thereof given out by contract with proper safe-guards to the lowest and best bidder.

These provisions will eliminate politics from the road system altogether. In a large state like California, presenting so many different conditions and topographical features, no set of minute rigid rules can be adopted for the classification of general and local roads applicable all over the state and the determination of the question must to a great extent be left to the Board of Supervisors in each county.

The state law should make certain general requirements as to width and grades and so forth of general county roads, but it should be left to each county through its Board of Supervisors to classify its roads.

The state law should provide regulations and standards for the construction and maintenance of general county roads which the state assists in maintaining. Such state aid should be in the form of a bounty or premium of a certain amount paid to the county road fund for each mile of road constructed and maintained according to state standards and requirements.

If this standard requires an average expenditure of from \$3,000 to \$5,000 per mile of road, and if the state aid for maintenance were \$500 per mile of such roads, there is no danger that the state treasury would be swamped by state aids to roads, for people would not be very eager to expend \$5,000 to get \$500 from the state for maintaining it. And besides it would be of slow growth, for after maintaining their general roads out of the general county road fund, the County Road Commissioners would not have money available to build many miles of standard road in each year; but the state aid would act as an incentive and the object lesson to the people in each county, of a few miles of standard road would popularize them, and after a beginning was once made a greater proportion would be constructed each year thereafter, so that in ten or twenty years our main roads would probably all be standard roads. Such roads when once constructed are maintained with comparatively little expense, which in time, with the state aid to help out the county fund, would help to construct more and more standard roads.

Under the present law each Road Commissioner and Roadmaster works his road according to his own ideas, which are often very crude and frequently wasteful.

Road building is a trade or business as much as house building is. No sane man would spend many thousands of dollars each year in any construction or business in the way our road funds are expended.

There ought to be certain standards and regulations adopted for the construction, repair and maintenance of the different classes of roads, which should be published in each county under some general requirements to be prescribed by state law, and public money should only be expended in accordance with such requirements.

In that case the people could see and watch if the requirements were complied with and money would not then be wasted as it now often is.

For the purpose of gradually bettering existing roads the law should also provide that a certain minimum proportion of all road taxes collected be expended only for permanent improvements of such roads until they are brought up to the standards and requirements adopted.

Summarizing our conclusions we

recommend that our road laws be changed to provide as fundamental features the following:

First—Classification of public roads into local roads, general county roads and standard county roads receiving state aid.

Second—That the state law shall prescribe certain general regulations and standards for the construction, repair and maintainance of local and general county roads and authorize and require the Board of Supervisors in each county to provide further general regulations and standards, within the limits allowed by state law for such construction, repair, maintainance, within each county, and that the state law shall prescribe all regulations and standards for the construction, repair and maintainance of standard county roads receiving state aid.

All such regulations to be published so as to be in the hands of all the officials including local trustees and Road Overseers and citizens generally, and that no public money shall be expended except in accordance with such regulations and standards.

Third—That local roads shall be under the control of a board of three trustees in each district, elected as school trustees are now elected, who shall employ a Road Overseer for each district, in a similar manner as school trustees employ a teacher.

The construction, repair and maintainance of local roads shall be under the immediate control of the road trustees and overseers of the several road districts under the general supervision of the County Board of Road Commissioners and County Road Superintendent.

For the construction, repair and maintainance of local roads, local taxes shall be levied and collected in the respective road districts upon estimates furnished by such local trustees within the limits to be prescribed by law.

Fourth—That there shall be in each county a County Board of Road Commissioners and a County Road Superintendent who must be a properly qualified civil engineer.

That such County Road Commissioners be elected by the qualified electors of the county at large and that those first elected shall hold office for two, four and six years respectively, and thereafter one to be elected at each general election and hold office for six years, and that the County Road Superintendent shall be elected by the Board of Supervisors in each county.

Fifth—That such County Board of Road Commissioners shall have jurisdiction over all matters relating to the

construction, repair and maintainance of the general county roads and standard or state aided roads and that they and the County Road Superintendent shall exercise a supervisory control over the local road trustees and over expenditures for local roads in a similar manner as the County Board of Education and School Superintendent supervise the local school trustees.

Sixth—That general county roads and standard or state aided roads shall be constructed and maintained by taxation of all the taxable property in the county as a whole, including that in cities and incorporated towns, and that the state shall contribute from the state treasury a certain sum per mile annually for the maintainance of such roads, when constructed according to prescribed state standards and requirements, and when such roads have been accepted by the state as constructed according to the requirements provided by law. Such state aid to cease whenever said roads are not maintained according to such standards and requirements. That the state shall pay for the construction, repair and maintainance of all streets or public roads fronting upon or passing through state property.

Seventh—That all work on general county roads and standard or state aided roads, either construction or repair, or maintainance, shall be done by contract, under proper safe-guards and restrictions, and shall be let to the lowest and best bidder, and that for the purpose of repair and maintainance such roads shall be divided into convenient sections.

Eighth—That for the purpose of bringing existing roads to the standards and requirements adopted the law require a certain minimum proportion of road funds collected to be expended only for the permanent improvements thereon until such roads are brought up to such standards.

These are the fundamental features of a new road law which we recommend.

They are but suggestions to the Legislature, which we think are all that can be made by a body like the road convention, and even if adopted by the Legislature it would remain for that body, containing representatives from all parts of the state, to provide details and made an harmonious law of it, adapted to all parts of our great state.

Respectfully submitted,
Theo. Wagner, Chairman;
Thomas Johnson,
Reed Brown Cherington,
Robt. P. Hill,
W. L. Ashe.
Committee.